

Craig S. Friedman (CF-1988)
Matthew W. Lampe (*pro hac vice* application pending)
JONES DAY
222 East 41st Street
New York, New York 10017
(212) 326-3939
Attorneys for Defendant

SCANNED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARIA JACKSON,

Plaintiff,

-against-

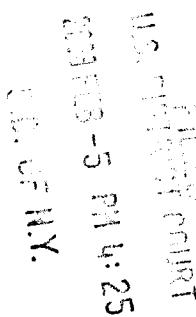
THE SCOTTS COMPANY

Defendant.

08 Civ. 1064 (LAK)

NOTICE OF MOTION

PLEASE TAKE NOTICE, that upon the annexed Affidavit of Craig S. Friedman, sworn to on February 5, 2008, and the exhibits attached thereto, Defendant The Scotts Company LLC (incorrectly named in the Complaint as "The Scotts Company") ("Defendant" or "Scotts"), will move this Court, before the Honorable Lewis A. Kaplan, United States District Judge, United States Courthouse, 500 Pearl Street, New York 10007, pursuant to Civil Rule 1.3(c) of the Local Rules Of The United States District Courts For The Southern And Eastern



Districts Of New York, for an Order granting the *pro hac vice* admission of Matthew W. Lampe, Esq., Jones Day, 222 East 41st Street, New York, New York 10017, mwlampe@jonesday.com, to appear and practice before this Court as attorney on behalf of Defendant.

Dated: New York, New York
February 5, 2008

JONES DAY



Craig S. Friedman (CF-1988)
Matthew W. Lampe (*pro hac vice*
application pending)
222 East 41st Street
New York, New York 10017
(212) 326-3939

Attorneys for Defendant

TO: Sandra Frelix, Esq.
110 Wall Street, 11th Floor
New York, New York 10005
(212) 859-3509

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Matthew W. Lampe (*pro hac vice* application pending)
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222 East 41st Street
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARIA JACKSON,

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-against-

THE SCOTTS COMPANY

Defendant.

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**AFFIDAVIT OF
CRAIG S. FRIEDMAN IN
SUPPORT OF MOTION
FOR ADMISSION PRO HAC VICE**

CRAIG S. FRIEDMAN, being duly sworn, deposes and says:

1. I am a member of the bar of this Court and an associate of Jones Day, counsel to Defendant The Scotts Company LLC (incorrectly named in the Complaint “The Scotts Company”) (“Defendant” or “Scotts”). I submit this affidavit in support of Defendant’s application for an order granting Matthew W. Lampe *pro hac vice* admission to this Court to argue and try the above-captioned action, in whole or in part, on behalf of Defendant pursuant to Civil Rule 1.3(c) of the Local Rules Of The United States District Court for the Southern and Eastern Districts of New York.

2. Matthew W. Lampe is a member of Jones Day. He was admitted to practice before the courts of the State of Ohio on November 6, 1989. He has been and is a member in good standing of the aforementioned bar. Mr. Lampe is a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Civil

Procedure. His Certificate of Good Standing from the Clerk of the Supreme Court of Ohio is attached hereto as Exhibit A.

3. Pursuant to Local Civil Rule 1.3(c), I respectfully request that Matthew W. Lampe be permitted to participate in, argue and try the above-captioned case.
4. Because no novel issue of law is involved in this motion, I further request that this Court waive the requirement of a supporting memorandum of law pursuant to Local Civil Rule 7.1.

5. Attached as Exhibit B is a proposed order granting this motion.

6. There has been no prior application for the relief requested herein.

WHEREFORE, it is respectfully requested that this Court grant Matthew W. Lampe admission to the bar of this Court for the purpose of participating in, arguing and trying this case on behalf of Defendant.



Craig S. Friedman

STATE OF NEW YORK)
)
COUNTY OF NEW YORK) ss.
)

Subscribed and sworn to before me
this 5th day of February, 2008.



Notary Public

CAROL GOLDMAKER
Notary Public, State of New York
No. 01GO4946052
Qualified in New York County
Commission Expires Jan. 27 2011

The Supreme Court of Ohio

C E R T I F I C A T E

I, SUSAN B. CHRISTOFF, Director of the Attorney Services Division of the Supreme Court of Ohio, do hereby certify that I am the custodian of the records of the Office of Attorney Services of the Supreme Court and that the Attorney Services Division is responsible for reviewing Court records to determine the status of Ohio attorneys. I further certify that, having fulfilled all of the requirements for admission to the practice of law in Ohio,

Matthew Willis Lampe

was admitted to the practice of law in Ohio on November 06, 1989; has registered as an active attorney pursuant to the Supreme Court Rules for the Government of the Bar of Ohio; is in good standing with the Supreme Court of Ohio; and is entitled to practice law in this state.

IN TESTIMONY WHEREOF, I have subscribed my name and affixed the seal of the Supreme Court, this 30th day of January, 2008.

SUSAN B. CHRISTOFF
Director, Attorney Services Division



Dee Moore
Attorney Registration Specialist

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARIA JACKSON,

Plaintiff,

-against-

THE SCOTTS COMPANY

Defendant.

08 Civ. 1064 (LAK)

**ORDER FOR ADMISSION
PRO HAC VICE ON
WRITTEN MOTION**

AND NOW, having considered Defendant's request for *pro hac vice* admission pursuant to Local Rule 1.3(c), IT IS HEREBY ORDERED that said request is GRANTED. The admitted attorney Matthew W. Lampe is permitted to appear and practice before this Court in the above-captioned case for purposes of representing Defendant.

Each attorney admitted to practice *pro hac vice* is required to pay a \$25.00 attorney admission fee and present this Order to the intake deputy clerk in the Clerk's Office. When paying by mail, return a copy of this Order to the Clerk's Office with the required fees.

This Order confirms the appearance of Matthew W. Lampe as counsel for Defendant in this case, and it will be entered on the Court's docket. A notation of the admission *pro hac vice* for the above-listed case will be made on the roll of attorneys.

The attorneys admitted *pro hac vice* must serve a copy of this Order on all other

counsel in this case.

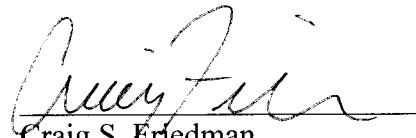
Dated: New York, New York
_____, 2008

Lewis A. Kaplan
United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that I have caused a true and correct copy of the foregoing NOTICE OF MOTION, and attached exhibits, to be served on the following counsel of record this 5th day of February, 2008 by forwarding a copy, by First Class Mail, addressed to:

Sandra D. Frelix, Esq.
110 Wall Street, 11th Floor
New York, New York 10005
(212) 859-3509



Craig S. Friedman